IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1380 OF 2004
IN
INCOME TAX APPEAL (L) NO.472 OF 2004

Commissioner of I.T., City-I, Bombay .. Appellant.

V/s.

M/s.Hindustan Aegis LTG Bottling Co. .. Respondent.

Mr.A.S. Rao for the appellant.

None for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 9TH JULY, 2007.

P.C. :

1. In support of the Notice of motion, an affidavit was filed by Mr.J.P. Jangid, Deputy Commissioner of Income Tax, Bombay Range 1(1). The only reason given there was restructuring of the Department for the delay of 379 days. An additional affidavit now has been filed by Mr.Pankaj Kapoor, Assistant Commissioner of Income Tax Range 1(1), Mumbai. After perusing the cause shown that the Commissioner recommended filing of Appeal as far that as on 1st March, 2003 and the Appeal was filed on 29th April, 2004. Even in the second affidavit no explanation as to what happened between 1ast March, 2003 and 29th April, 2004. In absence of any

explanation showing cause for said delay, there are no grounds to hold that the cause shown amounts to sufficient cause.

2. In the light of that, notice of motion stands dismissed.

(F.I. REBELLO, J.)

(J.P. DEVADHAR, J.)